



General Assembly

**Substitute Bill No. 142**

February Session, 2012

\* \_\_\_\_\_SB00142AGEAPP030812\_\_\_\_\_\*

**AN ACT INCREASING ELIGIBILITY FOR THE CONNECTICUT HOME-CARE PROGRAM FOR THE ELDERLY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsection (i) of section 17b-342 of the 2012 supplement to  
2       the general statutes is repealed and the following is substituted in lieu  
3       thereof (*Effective July 1, 2012*):

4       (i) (1) On and after July 1, 1992, the Commissioner of Social Services  
5       shall, within available appropriations, administer a state-funded  
6       portion of the program for persons (A) who are sixty-five years of age  
7       and older; (B) who are inappropriately institutionalized or at risk of  
8       inappropriate institutionalization; (C) whose income is less than or  
9       equal to the amount allowed under subdivision (3) of subsection (a) of  
10      this section; and (D) whose assets, if single, do not exceed the  
11      minimum community spouse protected amount pursuant to Section  
12      4022.05 of the department's uniform policy manual or, if married, the  
13      couple's assets do not exceed one hundred fifty per cent of said  
14      community spouse protected amount and on and after April 1, 2007,  
15      whose assets, if single, do not exceed one hundred fifty per cent of the  
16      minimum community spouse protected amount pursuant to Section  
17      4022.05 of the department's uniform policy manual or, if married, the  
18      couple's assets do not exceed two hundred per cent of said community  
19      spouse protected amount and on and after July 1, 2012, whose assets, if

20 single, do not exceed forty thousand dollars or, if married, the couple's  
21 assets do not exceed sixty-five thousand dollars.

22 (2) Except for persons residing in affordable housing under the  
23 assisted living demonstration project established pursuant to section  
24 17b-347e, as provided in subdivision (3) of this subsection, any person  
25 whose income is at or below two hundred per cent of the federal  
26 poverty level and who is ineligible for Medicaid shall contribute  
27 [seven] six per cent of the cost of his or her care. Any person whose  
28 income exceeds two hundred per cent of the federal poverty level shall  
29 contribute [seven] six per cent of the cost of his or her care in addition  
30 to the amount of applied income determined in accordance with the  
31 methodology established by the Department of Social Services for  
32 recipients of medical assistance. Any person who does not contribute  
33 to the cost of care in accordance with this subdivision shall be  
34 ineligible to receive services under this subsection. Notwithstanding  
35 any provision of the general statutes, the department shall not be  
36 required to provide an administrative hearing to a person found  
37 ineligible for services under this subsection because of a failure to  
38 contribute to the cost of care.

39 (3) Any person who resides in affordable housing under the assisted  
40 living demonstration project established pursuant to section 17b-347e  
41 and whose income is at or below two hundred per cent of the federal  
42 poverty level, shall not be required to contribute to the cost of care.  
43 Any person who resides in affordable housing under the assisted  
44 living demonstration project established pursuant to section 17b-347e  
45 and whose income exceeds two hundred per cent of the federal  
46 poverty level, shall contribute to the applied income amount  
47 determined in accordance with the methodology established by the  
48 Department of Social Services for recipients of medical assistance. Any  
49 person whose income exceeds two hundred per cent of the federal  
50 poverty level and who does not contribute to the cost of care in  
51 accordance with this subdivision shall be ineligible to receive services  
52 under this subsection. Notwithstanding any provision of the general

53 statutes, the department shall not be required to provide an  
 54 administrative hearing to a person found ineligible for services under  
 55 this subsection because of a failure to contribute to the cost of care.

56 (4) The annualized cost of services provided to an individual under  
 57 the state-funded portion of the program shall not exceed fifty per cent  
 58 of the weighted average cost of care in nursing homes in the state,  
 59 except an individual who received services costing in excess of such  
 60 amount under the Department of Social Services in the fiscal year  
 61 ending June 30, 1992, may continue to receive such services, provided  
 62 the annualized cost of such services does not exceed eighty per cent of  
 63 the weighted average cost of such nursing home care. The  
 64 commissioner may allow the cost of services provided to an individual  
 65 to exceed the maximum cost established pursuant to this subdivision  
 66 in a case of extreme hardship, as determined by the commissioner,  
 67 provided in no case shall such cost exceed that of the weighted cost of  
 68 such nursing home care.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	17b-342(i)

**AGE***Joint Favorable Subst. C/R*

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